

UNITED STATES DISTRICT COURT

Western District of Washington

Timothy Dietz

Plaintiff

vs.

Midland Credit Management Inc.

Defendant(s)

Case Number: C14-5114 RBL

**DECLARATION AND APPLICATION
TO PROCEED IN FORMA PAUPERIS
AND WRITTEN CONSENT FOR
PAYMENT OF COSTS****DECLARATION AND APPLICATION TO PROCEED IN FORMA PAUPERIS**

I (print your name) Timothy Dietz declare I am the plaintiff in this case; I believe I am entitled to relief; and I am unable to pay the costs of this proceeding or give security therefor. The nature of my action is *briefly* stated as follows: Violation of TCPA to be brought in small claims court

In support of this application, I answer *all* of the following questions:

1. Are you presently employed?

☒ Yes Total amount of net monthly salary (take home pay) \$ 3,575

Name and address of employer USPS 3825 S Warner St Tacoma WA 98409

☐ No Date of last employment _____ Total amount of last net monthly salary \$ _____

2. If married, is your spouse presently employed? ☐ Not married

☐ Yes Total amount of spouse's net monthly salary (take home pay) \$ _____

Name and address of employer _____

☒ No Date of spouse's last employment Sep 1, 2009 Total amount of last net monthly salary \$ 800

3. For the past twelve months, list the amount of money you and/or your spouse have received from any of the following sources.

a. Business, profession or other self-employment	\$ _____
b. Income from rent, interest or dividends	\$ _____
c. Pensions, annuities or life insurance payments	\$ <u>12,288.00</u>
d. Disability, unemployment, workers compensation or public assistance	\$ _____
e. Gifts or inheritances	\$ _____
f. Money received from child support or alimony	\$ _____
g. Describe any other source of income _____	\$ _____

4. List the amount for each of the following for you and/or your spouse:

Cash on hand \$ 50 Checking Account \$ 400 Savings Account \$ 0

5. Do you and/or your spouse own or have any interest in any real estate, stocks, bonds, notes, retirement plans, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? If Yes, describe the property and state its approximate value:

☐ Yes ☒ No

\$

6. Are any persons dependent upon you or your spouse for support? If Yes, state their relationship to you or your spouse, and indicate how much is contributed toward their support each month. (Do not include names of minor children.)

☐ Yes ☒ No

\$

7. Describe the types of monthly expenses you incur, such as housing, transportation, utilities, loan payments, or other regular monthly expenses and the amount spent each month.

Electricity - \$183, Water/Garbage \$239, Credit Cards \$286, Auto Insurance \$115, Legal Insurance \$19, Gas/Transportation \$700, Medication \$40, Groceries \$700, Dish/TV \$105, AT&T/Cellular \$342, School Supplies/Lunches \$40, Internet \$25, Auto Loan \$630, Pet Care \$50, incidentals \$400, Storage \$100, legal costs \$150

\$ 4,124.00

8. Provide any other information that will help explain why you cannot pay court fees and costs.

My recent re-assignment of employment from Longview to Tacoma Wa has increased my gas consumption/vehicle maintenance. I am currently litigating a foreclosure as a pro se and costs are hard to estimate as there are legal costs and educational costs. For the past 3 years my wife and I have cared for my sister-in-law which was a stress to our financial situation. She has recently passed and that also came at a cost to us. The monthly care of our 2 children, 4 and 12, is also hard to estimate.

I declare under penalty of perjury that the foregoing is true and correct.

May 11, 2014

Executed on: (Date)

Signature of Plaintiff

WRITTEN CONSENT FOR PAYMENT OF COSTS UNDER LOCAL RULE CR3(b)

I, (print your name) Timothy Dietz

hereby consent that any recovery in damages that I may receive in the above-captioned cause may be reduced, if so directed by the court, in such an amount as is necessary for payment of the unpaid fees and costs which are taxed against me in the course of this litigation.

May 11, 2014

Executed on: (Date)

Signature of Plaintiff